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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 11, 2009.

John J. Kelly, Jr.

Reg. No.: 29,182

Examiner

Mark L. Shevin

Art Unit

1793

Docket No.

52433/786

Conf. No.

2220

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicants** 

: T. MIZOGUCHI et al.

Serial No.

: 10/521,950

Filed

: September 29, 2005

For

: STEELS WITH FEW ALUMINA CLUSTERS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## NOTICE OF APPEAL PURSUANT TO 37 C.F.R. §41.31(a)

SIR:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated August 12, 2008 of the Supervisory Examiner finally rejecting claims 1 to 9 in the above-identified patent application.

- <u>X</u> Please charge the fee of Five Hundred Forty Dollars (\$540.00) for filing a Notice of Appeal to Deposit Account 11-0600. A duplicate of this paper is enclosed.
- <u>X</u> Please charge any additional required fee or deficiency of fee associated with this appeal to Deposit Account 11-0600. A duplicate of this paper is enclosed.
- X A petition for a three (3) month extension of time and deposit account authorization to cover the extension fee accompanies this Notice of

Respectfully submitted,

KENYON & KENYON LLP

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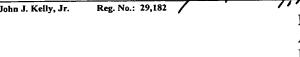
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B<sub>v</sub>.

John J. Kelly, Jr.

Reg. No. 29,182

Date: February 11, 2009 KENYON & KENYON LLP One Broadway New York, N.Y. 10004 (212) 425-7200 I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 11, 2009.



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